DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
)	
v.)	No. 05-30042-MLW
)	
CESAR CRUZ and RICARDO DIAZ)	

SUPPLEMENT TO GOVERNMENT'S OPPOSITION TO DEFENDANT **CESAR CRUZ'S MOTION IN LIMINE TO PRECLUDE IMPEACHMENT BY PRIOR CONVICTIONS**

As set forth in the government's original response, which is incorporated by reference herein, the government opposes defendant Cesar CRUZ's motion in limine to preclude introduction of his prior criminal convictions in the event that he takes the stand. In a case in which the defendant wants the credibility of witnesses to be the crucial determinate, the Court should allow the jury to get a realistic picture of Cruz's criminal record (which, as indicated below, includes several convictions and demonstrates that he is less likely than most to be deterred from lying under oath).

At the pre-trial conference on August 9, 2006, the Court asked whether Cruz's prior criminal convictions were admissible, in light of the fact that they appeared to be more than ten years old. As set forth in more detail below, although the convictions (being the date of the guilty plea) are more than 10 years old, Cruz was not released from prison until June 24, 1997 – within 10 years - rendering the underlying convictions admissible under Federal Rule of Evidence ("FRE") 609(b).1

Pursuant to FRE 609(b) evidence of a conviction is not admissible when, "a period of

¹ After clarifying some information about CRUZ's criminal history, the government is no longer requesting permission to examine on four prior convictions, as set forth in the government's original response, but on only three.

more than ten years has elapsed since the date of the conviction or of the release of the witness from the confinement imposed for that conviction, whichever is the later date " (Emphasis added.) When the defendant is in prison for part of the ten-year period, the underlying conviction may be admissible, assuming the Court determines that the conviction's probative value outweighs any prejudice to the defendant.²

In accordance with the foregoing principles, the government seeks to question CRUZ about the convictions set forth below should he take the stand in his own defense.³ As set forth in the government's original response, the government will not mention or make any inquiry as to the type of crime involved, but will simply establish that the defendant was convicted of three separate "felonies" in Springfield District Court on the dates below (it appears that the three separate offenses were bundled into a single plea and sentencing hearing):

9423 CR 10156 1. Docket #:

Distributing Class A Controlled Substance (heroin) in a Charge:

Drug Free Zone

Pled guilty: 6/9/95

90 days House of Corrections Sentence:

2 years (on and after)

6/9/95 to 6/24/97 Incarcerated:

2. 9423 CR 11213 Docket #:

> Distributing a Class A Controlled Substance (heroin) in a Charge:

> > Drug Free zone

6/9/95 Pled guilty:

Sentence: 90 days House of Corrections

2 years (on and after) concurrent with

Docket # 9423 CR 10156

² The government's argument that the probative value of Cruz's convictions outweighs any prejudice is set forth in our original opposition response.

³ A copy of CRUZ's criminal history is attached at Exhibit A. Copies of the certified convictions in the government's possession are attached at Exhibit B.

Incarcerated:

6/9/95 to 6/24/97

3. Docket #:

9423 CR 12318

Charge:

Possession Class A (heroin)

Possession Class B (cocaine)

Possession of Class A with Intent to Distribute (heroin)

Pled guilty:

6/9/95

Sentence:

2 years House of Corrections

concurrent w/ Docket #s: 9423 CR 10156, 9423 CR 11213

Incarcerated:

6/9/95 to 6/24/97

Based upon the fact that for all three convictions Cruz was not released from prison until June 24, 1997, the underlying convictions clearly fall within the period prescribed by rule 609(b). Accordingly, based upon the above-mentioned facts and the incorporated arguments set forth in our original response in opposition, CRUZ's motion in limine should be denied and the government should be permitted to inquire as proposed above.

Respectfully submitted,

MICHAEL J. SULLIVAN UNITED STATES ATTORNEY

By:

/s/ Sharron A. Kearney
SHARRON A. KEARNEY
ANDREW E. LELLING
Assistant U.S. Attorneys

Date: September 8, 2006

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radio de la casa de la casa de la casa de la casa de la casa de la casa de la casa de la casa de la casa de la Casa de la casa de la c	is a patient in a mental health facility or treatment center (or is the subject of a proceeding for admission to such a facility) and lacks available funds:	
as guit aileit de taast	is serving a sentence in a correctional institution and has no available funds.	Maria Saturnes
	is held in custody in a jail and has no available funds.	
No. 21 St. of Children Till	has an annual income, after taxes, 125% or less of the current poverty threshold referred to in G.L. c. 261, § 27A(b).	PRICO
	is determined to be indigent pursuant to S.J.C. Rule 3:10, Section 4(b) [Judge's Section 4(b) findings on the record are appended].	
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Maria de la compaña de la comp	has an annual income, after taxes, of more than 125% and less than 250% of the current poverty threshold referred to in G.L.c. 261, § 27A(b).	
	is charged with a felony within the jurisdiction of the Superior Court and has available funds sufficient to pay a portion of the anticipated cost of counsel.	,
	is determined to be indigent but able to contribute pursuant to S.J.C. Rule 3:10, Section 4(b) [Judge's Section 4(b) findings on the record are appended].	
	NOT INDIGENT and is able to pay the anticipated cost of counsel [Judge's findings on the record are appended if this finding is pursuant to S.J.C. Rule 3:10, Section 4(b)].	
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his/he	certify that the defendant named in the complaint on the reverse side has been informed of ght to counsel in accordance with Supreme Judicial Court Rule 3:10 and G.L. c. 211D, §5; that has knowingly elected to proceed without a lawyer; and that he/she has:	;
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Cassa	er Cer 4 Mi	neg ptle	farch ins	lly Mrs.	3.						
COURT USE A he	aring upon t	his compla	int application	1 (DATE OF	HEARING		TIME OF	HEARING	COL	IRT USE
ONLY → will	be neid at th		urt address or E PARTICUL		— BE	SPECI	<u>AT</u> FIC				-ONLY
O. NAME OF VI	perty,	DESCRIPT Good	ION OF PROPERTY is stolen, what stroyed, etc.			LUE OR PRO Over or und \$250.	PERTY		SUBSTANC	CONTROLL CE OR WEA ma, gun, etc	PON
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	E OF BIRTH	Ma	SOCIAL SECUR		ER	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
SCUPATION Soft	EMPLØYER/SCI	100£	1303-73			ME (MAIDEN		Es Be	A AMERICAN	DEY ATT	Ey
		<i>l</i>	t cour			Y ¥	aki na awa				
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9/22/44 PR	OCESS TO IS	SSUE	e presented	TYPE C	OF PR Warr	OCESS ant mons ret	urnable_		· 		
	Continued to)									
OMMENTS											

Case 3:05-cr-30042-MLW

Document 102-4

Filed 09/08/2006 - Page 2 of 12

Springfield District Ocurt #0 State Street Soringfield, MA 01103 Case 3:05-cr-30042-MLW Document 102-4 Filed 09/08/2006 Page 3 of 12

SPRINGFIELD POLICE DEPARTMENT

GENERAL REPORT FORM

CDECIEV. ALIGNMENT A TIME OFFI	TYPE OF REPORT,	ARREST	REPORT
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(I.E. ARREST, OPEN DOOR, B & E, ETC.)

DETAILS OF REPORT

SIR:	
	23-94, SET. TRITES, SGT. COOK, OFFICERS F. FERRER.
*	ND I PLACED UNDER ARREST THE FOLLOWING: 1) CESAR
	SS# 513-43-1898. OF 44 MYRTLE ST. FOR 1) DIST. CL.
	ATTON DEUG FREE SCHOOL ZONE AND 2) JULIA NOGUERA.
•	1-48-7284, OF 22 JOHNSON ST. FOR 1) POSS. CL. "A"
(HEROIN).	
	ITS, THIS OFFICER HAD THE AREA OF PROSPECT ST. AND
	INVESTIGATION A SECURE AND UNORSTRUCTED LOCATION
•	TIME AREA KNOWN FOR THE SALE OF TILITOTT NARCOTTCS
	HAVE BEEN MADE IN THE PAST FOR THE SAME. THIS
POST NO.	REPORTED FOR DUTY 8:009 M
E CAR NO.	18 Jan March
g DISTRICT NONARCOTICS	REPORTED OFF DUTY 4:00p M KEVIN LEE #40363
	DIVISION AFFECTED
TYPE OF REPORT. ARREST REPORT	
	ST, OPEN DOOR, B & E, ETC.)
	DETAILS OF REPORT
OFFICERS ATTENTION B	ECAME FOCUSED ON A PR/M. WEARING A BLACK VEST
WITH A WHITE SEAT SH	IRT UNDERNEATH, OLIVE COLORED PANTS, AND A BEACK
BASEBALL CAP (LATER	I.D AS CRUZ) WHO WAS TANDING IN FRONT OF 100
	POINT A RED COLORED FOUR DOOR CHAVY FULL BD. IN
FRONT OF 100 MASSASO	IT STA AND WIS APPRAOCHED BY CRUZ, AFTER A BRILE
CONVERSATION WITH TH	E PASSENGER, CRUZ REMOVED A WHITE COLURED ITEM FROM
HIS RIGHT FRONT PANT	POCKET AND HANDED IT TO THE PASSENGER (LATER I.D
AS NOGUERA) IN EXCH	•
	ANGE FOR GREEN REPLA MONEY. THIS OFFICER GAVE THE
DESCRIPTION AND DIREC	
THE CHEVY AT CHESTNU	CTION OF TRAVEL TO THE ABOVE OFFICERS WHO STOPPED THE ST. AND ALLENDALE ST? SGT. TRITES APPROACHED THE CHEVY AND OBSERVED NOCUERA PLACE A WHITE ITEM
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e)	。Case	3:05-cr-30 6 4	PRINGPIEUD POLICE DEPARTMENT OF 12
09 MONTH	DAY DAY	94 YEAR	GENERAL REPORT FORM
TYPE OF REPO SPECIFY:	ORT, ARR	EST REPORT	
		(I.E. AHRES)	T, OPEN DOOR, B & E, ETC.) DETAILS OF REPORT
		-	DETAILS OF REPORT
INTO	HER MOI	JTH. WITH	THE ASSISTENCE OF OTHER OFFICERS, NOGUERA SPIT
_A_WH	ITE PLA	STIC BAG C	CONSISTENTING OF WHITE POWDER TO THE GROUND, THIS
BAG	BEING_CO	ONSISTENT_	WITH HEROIN. NOCUERA WAS PLACED UNDER ARREST.
WHI	LE EFFE	CTING THE	ARREST OF NOGUERA TRIS OFFICER OBSERVED CRUZ
INV01	red in '	TWO OTHER	SIMILAR TRANSACTIONS, ONE OF WHICH WAS A
TRANS	SACTION	WITH A WH	IITE MALE ON FOOT AND THE OTHER WITH A COPPER
STAI	ON_MAGOI	N. AFTER E	EACH TRANSACTION CRUZ WOULD ENTER A GRAY RX-7
_MAZD	A, MA-Ri	EG 538-CMD	, AND RETURN TO THE AREA IN WHICH HE WAS STANDING.
CRI	JZ ENTE	RED THE GR	VAY MAZDA, THIS OFFICER GAVE A DESCRIPTION AND
	-		O THE ABOVE OFFICERS AND ASKED THEM TO STOP THE
MAZD		ABOVE OFFI	[CERS STOPPED THE MAZDA AT CHESTNUT ST. AND ()
4			8:00a // //
3	CT NQNARC	OTICS	REPORTED OFF DUTY 4:00p M KEVIN LEE #40363
"(02100	DIVISION AFFECTED
		SE	PRINGFIELD POLICE DEPARTMENT
09	23 DAY	94 YEAR	GENERAL REPORT FORM
	5	72	
TYPE OF REPO	DRT, ADID	EST REPOR	₩
SPECIFY:	AINI		T, OPEN DOOR, B & E, ETC.)
			DETAILS OF REPORT
MONT	MORENCE	ST. WHER	E CRUZ WAS PLACED UNDER ARREST. LOCATED ON THE
			61.00. MAZDA SEIZED TAG # 141525. MONEY TAGGED #
			141524. THE ABOVE TRANSACTIONS TOOK MACED.
	•		F THE CHESTNUT ST. MIDDLE SCHOOL WHICH IS IN CEIN
	•		דו ייער פססדוויים ה
			ASSISTANT CLERE
			*
			RESPECTFULLY SUBMITTED
POST N	10.		REPORTED FOR DUTY 8:00a M
_			MI mil XI
DISTRIC	T NONARC	OTICS	REPORTED OFF DUTY 4:00p M KEVIN LEE #40363

DOC	REP :	3:05-cr-	30042-M	Document Document	102	A I I UHTINE &	d 09#08/2006	Page 7	of 12	
COURT DIVISION						Retaine		AURO	, , , , , , , , , , , , , , , , , , ,	
Spfld.		NAME	, ADDRESS AI	ND ZIP CODE OF DEFENDA	NT	☐ `Assigne				
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DEF. DOB AND SEX		OFFENSE (CODE(S)	· · · · · · · · · · · · · · · · · · ·		1	☐ Advised of r	ight to bail rev	/iew	
4,5,73 PR	. M		806		Ju	de la seconda	☐ Advised of a	ight to F.I. Jur	y Trial	
DATE OF OFFENSE		PLACE OF	OFFENSE			9	□ Waives	· □ Reque	sts F.I. Jury Trial	
9, 21, 94		Spfld.					☐ Advised of a			
COMPLAINANT	_11		1	PARTMENT (if applicable)					It warrant issued	
Glenn Lunga	rini _		Spfld	*		 	☐ Default rem		Warrant recalled	
DATE OF COMPLAINT		arrest	ATE AND TIME						It warrant issued	
9,22,94	, <u>, , , , , , , , , , , , , , , , , , </u>	arrese.			<i>i</i>	FINE	☐ Default rem		Warrant recalled	
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					FI	NAL DISPOSITI			DATE	
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	(3/23/95(0)	
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4-14.85	c 5-9-95 (7) (Dural Goney 1)	
MAY 9 1995	C 6-9-95 (7) Dusek-Gomez JJ	-
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L. Springfield District Court	Z		e trayer transfer	
50 State Street Springfield, MA 01703*** ** *	COARCHIVE SEE SEE	WANE OF DEFEN	ONLY AND MARKS AND AND AND AND AND AND AND AND AND AND	
		and the second s	AND THE RESERVE OF THE SERVE OF	
	TENDER OF PLEATOR			
PART I: To be completed, where possi- court by the defendant at that hearing.	ble, prior to the Pretrial Heari	ng, subscribed by both cou	risel and submitted to t	tie:
Defendant in this case hereby ten	ders the following: A PLE		SSION TO FACTS SUFFI OR A FINDING OF GUILT	
conditioned on the following dispositional without finding, fine; costs, probation, re	terms linclude all proposed	terms (quity rinding, findin	or sufficient facts con	
	90 days Hoje	f K3 / A	1 day HOC	
Count/offense 2 Gw Hu	TYPS O/A	"Concurren	7 2/	
Count/offense 3		94 123	<u> </u>	20 mg
Count/offense 4		(Affach a	n additional sheet, if neco	SSarv)
The above-listed terms are submitted for	the court's consideration, 🗟 V	Just 2	1 2 5 3 7	A Sec.
Signatures:	AFE # ACE.		St. August Marie Control	
Defense Counsel	Date Control	Assistant District Att	Orney 1	Date
		THE SAME SAME		
PART II: To be completed by the Cour				
	COURT'S RULI (学文)。1994年5月	IG ≸i£ ky 2000er > 170≥€.		4-3- 3-3-3
The court CACCEPTS the Plea// with such terms, subject to submission of determination of factual basis and notice	Admission tendered on the terr I defendant's written jury wan of alien rights: 128 9 1579	ns set forth above, and will iver (see reverse side), comp	mpose sentence in acco letion of the required co	rdance: lloquy
The court REJECTS the dispo- forth the dispositional terms it would find	sitional ferms seriorth above i	and in accordance and Ma	SS TO CHILL FILIT ZIGHOL	MIII OCL
DEFE	NDANT'S DECISION UPON R	EJECTION OF TERMS	AND ELERA	
Defendant U WITHDRAWS ter necessary.	ndered Plea/Admission; Pretri	al Hearing to be complete	d and trial date schedu	Jed, if
Defendant ACCEPTS terms se imposed, subject to submission of defe determination of factual basis and notice				
			Judge	
(Final dispositional terms to be announce	d on the record and recorded	a.花木属:Marketta. 网络似乎 4.在下一个问题 17.她说了。 () 1.200(10)(17.100)(简定)在一个点		

CR 22 (1/94)

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Springfield MA 011038 33	TOTAL STATE TOTAL STATE TOTAL STATE NAME OF DETERMANTS STATE TOTAL		
#US# WATVER OF RIGHT TO	OFFICE TEMPORAL		
BETRIED BY JURY G. 12. Sept. and the control of th	State and substitution of the substitution of		
I the above-named defendant, have been informed of my right to be to waive that right. I have chosen to plead guilty of admit to a nime.	tried by a jury. Funderstand that had a figure.		
BATE SIGNA	TURES OF - DEFENDANT	S. Property Made	
DEFENSE COUNSEL'S CERTIFICATE (G.L. c. 218. s. 26A)	S and a second s	A considerable of the second s	
The didersigned counsel for the above named defendant in the dware of the right to jury trial, I have explained the following to said defendant.		or with regard to the	
That the jury consists of members of the community;			
	e patriore in the constant and the const	King a state of the Color	
That the jury must decide guilt or innocence while the jud in the course of the trial and instructs the jury on the law, in case of guilt.	, and imposes sentence	. Depris de Granda de la composição de la composição de la composição de la composição de la composição de la composição d Composição de la composição de la co	
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NO PROCESS TO ISSUE	
 ☐ At request of complainant ☐ Complainant failed to prosecute ☐ Insufficient evidence having been presented 	ed
PROCESS TO ISSUE TYPE OF PR	
Sufficient evidence presented War	
Defendant failed to appear	summons returnable
☐ Continued to	
COMMENTS	

affection Case 3:05-cr 60042 MLW Filed 09/08/2006 Page 2 of 14 Springfield Dictact **Go**un reena sista de Senngfreid, MA 01103

Case 3:05-cr-30043-M-Win Carumant 102-50 Filed 0002/20ARTIME NOT14

GENERAL REPORT FORM

TYPE OF REPORT, SPECIFY: ARREST REPORT		PG 1 OF 5					
(I.E. ARRO	EST, OPEN DOOR, B & E, ETC.)						
	DETAILS OF REPORT						
SIR:	<u> </u>						
	CS BUREAU DETECTIVES D.WILLIAMS,	F.FOSSA,T.KENNEY, AND I					
ARRESTED AT FRANKLIN ST	. & MURRAY HILL AVE. A	7, 1004					
	2141 MAIN ST. SPFLD. MASS. D.O.	B. 3-28-53,SS#584-47-1231.					
FOR 1. POSS. OF CLASS "A							
2.POSS. OF CLASS "B	" COCAINE						
AT ARMORY ST. & WORTHIN	GTON STS. A	70					
2. CFASAR CRUZ SANCHEZ H	/M OF 44 MYRTLE ST. 2ND. FLR. SPE	TLD. MASS. D.O.B. 4-5-/3,					
	DIST. OF CLASS "A" HEROIN						
2.	DIST. OF CLASS "B" COCAINE						
3.	POSS. OF CLASS "A" HEROIN W/I TO	DIST.					
POST NO. NARCOTICS	REPORTED FOR DUTY 4P M						
CAR NO.		OCCOUNTING OFFICE					
DISTRICT NO.	REPORTED OFF DUTY 12A M	SGT. THOMAS MELFADY					
	RECORDS COPY						
11 - 1 - 94 MONTH DAY YEAR	GENERAL REPORT	FORM					
TYPE OF REPORT. ARREST REPORT	ST, OPEN DOOR, B & E, ETC.)	PG 2 OF_5					
•	DETAILS OF REPORT	Pare TOPY ATTES					
4. VIO. OF A DRUG FREE	SCHOOL ZONE (CHESTNUT MIDDLE SCH	DOL) Covert &					
PRIOR TO THE ARRESTS	SGT.T.MELEADY SET UP A SURVEILL	ANCE ON THE AREA OF PROSPECTION					
ST. & MASSASOIT ST. FRO	M A SECURE LOCATION, AND WITH A	CLEAR AND UNOBSTRUCTED VIEW					
THIS IS A HIGH CRIME AR	EA KNOWN FOR THE ILLICIT SALE OF	-NARCOTICS WHERE NUMEROUS					
ARRESTS HAVE BEEN MADE	FOR THESE OFFENSES. AND THE FOCU	S OF MANY COMPLAINTS FROM					
. AREA RESIDENTS OF OPEN	DRUG DEALING. DURING THE SURVEIL	LANCE MY ATTENTION BECAME					
FOCUSED ON SEVERAL H/M':	S THAT WERE LOITERING AROUND #10	O MASSASOIT ST. AND ALSO					
THE CORNER OF PROSPECT	ST. & MASSASOIT ST. ONE SUBJECT	WEARING A BOSTON BRUINS					
BALL HAT, JACKET, GOLD PA	ANTS, AND BOOTS LATER I.D. AS (S	ANCHEZ) WOULD RUN OUT TO					
PASSING CARS THAT WOULD	STOP ON MASSASOIT ST. AND EXCHA	NGE SMALL ITEMS WITH THE					
OCCUPANTS FOR PAPER CUR	RENCY WHICH HE WOULD PLACE INTO	HID PANTS POCKET RETURNING-					
POST NO. NARCOTICS	REPORTED FOR DUTY 4P M						
CAR NO.							
DISTRICT NO. REPORTED OFF DUTY 12A M SGT. THOMAS MELEADY							

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Case 3:05 3 4 4 EDD u ROLOGE DEPARTAMENTAGE 5 of 14						
NTH DAY YEAR	GENERAL REPORT	FORM				
E OF REPORT, ARREST REPORT	C `	PG 3 OF 5				
(I.E. ARR	REST, OPEN DOOR, B & E, ETC.)					
	DETAILS OF REPORT					
TO THE FRONT OF #100 M	ASSASOIT ST. AT ONE POINT A WHIT	E NEON PULLED ONTO				
MASSASOIT ST. FROM PROS	SPECT ST. AND STOPPED NEXT TO TH	E FAST CURB AND THE PASSENGER				
COT OUT OF THE VEHICLE	AND STOOD ON THE SIDEWALK WHEN	SANCHEZ RAN OVER TO HIS LOCATION				
	CONVERSATION WITH THE PASSENGER					
	POCKET AND DISPLAYED A SMALL IT					
	ONE OR MORE OF THESE ITEMS IN F					
WHICH SANCHEZ PLACED IN LEXINGTON ST. I RADIOEI	NTO HIS PANTS POCKET. THE NEON TO THIS INFORMATION TO PRE-POSITI	HEN LEFT THE AREA EAST ON ONED OFFICERS WHO WERE ABLE				
	REW ST. & MELHA AVE. WHERE OFFIC					
	NIO HIS MOUTH AND SWALLOW IT. A					
AND THE OCCUPANTS PROVI	ED NEGATIVE FOR NARCOTICS. WHILE	OFFICERS WERE STOPPING THE-				
POST NO. NARCOTICS	REPORTED FOR DUTY 4P M	·				
CAR NO.		REPORTING OFFICER				
DISTRICT NO.	REPORTED OFF DUTY 12A M	SGT. THOMAS MELFADY				
	RECORDS COPY					
L1 - 1 - 94 S	SPRINGFIELD POLICE					
OF REPORT. ARREST REPORT	·	PG 4 OF 5				
PECIFY: (I.E. ARRE	ST, OPEN DOOR, B & E, ETC.)	A ***				
	DETAILS OF REPORT	ST. FOR A BRITE PRODUCT				
IEON, SANCHEZ WENT DOWN	THE SIDE YARD OF #100 MASSASOIT	ST. FOR A BRILL PERSON OF				
TME AND RETURNED. SEVER	RAL MINUTES LATER A BLUE & WHITE	CHEVY PICK-UP TRUCK PULLER CLEEN F #100 WHEN SANCHEZ RAN OVER				
IP ON MASSASOIT ST. FACT	ING SOUTH AND STOPPED IN FRONT O	F #100 WHEN SANCHEZ RAN OVER CLER,				
O THE DRIVERS SIDE OF T	THE TRUCK WHERE THE OPERATOR WAS	STANDING BESIDE THE TRUCK				
ND ENGAGED IN A SHORT (CONVERSATION WITH THE OPERATOR W	HEN SANCHEZ REACHED INTO HIS				
ANTS POCKET AND DISPLAY	YED A SMALL ITEM TO THE OPERATOR	OF THE TRUCK WHO TOOK ONE				
R MORE OF THESE ITEMS I	IN EXCHANGE FOR GREEN PAPER MONE	Y WHICH SANCHEZ PLACED INTO				
IS PANTS POCKET. THE OF	PERATOR OF THE TRUCK REMAINED BE	SIDE THE TRUCK WHILE SANCHEZ				
	OO MASSASOIT ST. FOR SEVERAL SEC					
	THE TRUCK AND HAND HIM WHAT APP					
TEM. THE TRUCK THEN LET OST NO. NARCOTICS	THE SCENE FAST UP PROSPECT ST	. I RADIOED THIS INFORMATION-				
AR NO.	REPORTED FOR DUTY 4P M					
STRICT NO.	REPORTED OFF DUTY 12A M	SGT. THOMAS MELLADY				
	REPORTED OFF DUTY 12A M) OGT. HICKAD LIETEWAY				

RECORDS COPY

TYPE OF REPORT, SPECIFY:

ARREST REPORT

(I.E. ARREST, OPEN DOOR, B & E, ETC.)

PG 5 OF 5

DETAILS OF REPORT

TO PRE-POSITIONED OFFICERS WHO WERE ABLE TO STOP IT AT FRANKLIN ST. & MURRAY HILL AVE. WHERE OFFICER T.KENNEY ASSISTED THE OPERATOR BAEZ IN SPITTING ONE BAG OF POWDER COCAINE & ONE BAG OF HEROIN #1 LOGO FROM HIS MOUTH. TAG #141844&5. SHORTLY AFTER BAEZ WAS SECURED SANCHEZ ENTERED A BLUE FORD MUSTANG WITH ANOTHER SUBJECT AND LEFT THE SCENE EAST UP PROSPECT ST. I RADIOED THIS INFORMATION TO PRE-POSITIONED OFFICERS WHO WERE ABLE TO STOP IT AT ARMORY ST. & WORTHINGTON ST. WHERE OFFICER D. WILLIAMS OBSERVED SANCHEZ DROP ONE BAG OF HEROIN # 1 LOGO TO THE PASSENGER SEAT OF THE CAR. TAG#141846. AT THE STATION OFFICER F. FOSSA RECOVERED \$759.00 CASH FROM SANCHEZS PANTS POCKET ALONG WITH A MOBILEMEDIA BEEPER. TAG#141847&8. THE LOCATION OF THE ABOVE TRANSACTIONS IS WELL WITHIN 1,000 FT. OF THE CHESTNUT MIDDLE SCHOOL A ACTIVE SCHOOL IN THE CITY OF SPFID. LT.R.LABELLE NOTIFIED. RESPECTFULLY SUBMITTED REPORTED FOR DUTY POST NO. 4P NARCOTICS CAR NO. DISTRICT NO. REPORTED OFF DUTY 12A **RECORDS COPY**

Robert 29! Mess

ASSISTANT CLERK

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	AKA Ceasar Cruz Sanchez	MAR 1 3 1995	Arraigned t		WINT
	44 Myrtle ST. F22		Advised of		
	Spfld., Mass	-114.		right to drug exa	
DEF DOB AND SEX	OFFENSE CODE(S)	JUN - 9 Km		right to bail revie	
4/5/73 PR/M	806, 807, 801,813a PLACE OF OFFENSE	& & & & & & & & & & & & & & & & &	1. / "	right to F.Isdury	
DATE OF OFFENSE			│ Ø Waives		ts F.I. Jury Trial
11/1/94	Spf1d. POLICE DEPARTMENT (if applicable)		☐ Advised of		·
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Glenn Lungarin DATE OF COMPLAINT	i <u>spfld.</u> RETURN DATE AND TIME	MOAX 5	Default rem		arrant recalled
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and the second s		CONTRACTOR ALLENA
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mn eduda Da .u.le	uluin jähua <mark>pa</mark> upa läit o.	is determined to Section 4(b) fin	o be indigent pur dings on the reco	suant to S.J.C. rd are appende	Rule 3:10, Section 4(b) [.d]	Judge's Aloca Con
	INDIGE	NT BUT ABLE T	O CONTRIBUTE	, and is therefo	re ordered to pay	
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		has an annual i current poverty	income after taxe threshold referre	s, of more than d to in G.L.c. 26	125% and less than 250% 31, § 27A(b). □ \	GOUNT OFFERENCES A . POSS . CLASS A
					of the Superior Court a anticipated cost of couns	
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George Sheer

A TRUE ATTEST

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	with the second of the second	NAME OF DEFEN	ing a salita da Paga tanggan an	
PART I: To be completed, where possible, prior	& OF PLEASOR AL		sel and submitted to th	
Court by the defendant at that hearing.		Applies	SKON TO FACTS SUFFIC	
Defendant in this case hereby tenders the formal states and the second conditioned on the following dispositional terms, it		(Guiss, 1-2	अवस्थात्राकाभारक्षकाः स्वाधाकक	
without finding fine, costs, probation, restitution. Count/offense: 1	dismissal, etc.) 1 Coun	is/offerses/asslisted/orn	complaint	
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The above-listed terms are submitted for the court's Signatures:	consideration A WITH	and the second second	ment of the Commonw	selth.
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Defense Counsel	Date /	Assistant District Atto	mey D	ate
PART II: To be completed by the Court.	COURT'S RULING			
The court ACCEPTS the Plea/Admission		et forth above; and will in	L Heim Gathardan	Jance
with such terms, subject to submission of defendan determination of factual basis and notice of alien n	t's written jury waiver l	see reverse side), comple	tion of the required coll	
The court PREJECTS the dispositional fer forth the dispositional terms if would find acceptable	ms set forth above and Newstandary (1911)	in accordance with Mag	P. Crim P. 12(c)(6), w	rill set
	DECISION UPON REJE	14.0	T E.Z.	•
Defendant D WITHDRAWS tendered Ple	a/Admission; Pretrial F	learing to be completed	and trial date schedul	ed, if
Defendant ACCEPTS terms set forth by				
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Case 3:05-cr-3004	2-MLW Document 102-7 Filed 09/08/2006, Page 7 of 17
·	184
TYPE OF REPORT, ARR	EST
	EST, OPEN DOOR, B & E, ETC.)
	DETAILS OF REPORT
Sil;	
AT ABOUT 4:	30PM THIS DATE, OFFS. M. AMBROSE,
E. HINEY J. HONTE	F. PECK AND I ARRESTED AT 44 MYRTLE
ST. Apt F22, A	CESAL CRUZ SANCHEZ, 44 MYRTLE ST. FD
DOB 4-5-73 FOR	DPERATING A MOTOR VEHICLE WITH OUT A
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3 10 95	SPRINGFIELD POLICE DEPARTMENT
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OURT DIVISION	7-2405-cr-30042-ML	O IAMITA IAIZAA	District Court I	
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Case 3:05-cr-30042-MLW Document 102-7 Filed 09/08/2006 Page 12 of 17 DOCKET NUMBER ADDITIONAL COUNTS Page_2_ 9523CR02349 110.0P/PUSH/TOW, PERM. OP/PUSH/TOW UNREG. MV/TRLR C90 S9
NOTE: THIS IS A CIVIL MV INFRACTION, SET FORTH HERE FOR PROCEDURAL PURPOSES ONLY. not being authorized by law, did operate, push, draw or tow a motor vehicle or trailer upon a way, as defined by G.L. c.90, s.1, or being the owner or custodian of said vehicle, did permit the same to be operated, pushed, drawn or towed upon or to remain upon a way, as defined by G.L. c.90, s.1, said vehicle not being registered according to law. in violation of G.L. c.90, s.9. COUNT-OFFENSE OP./PERMIT TO OP. UNINSURED M.V.C90 S34J did operate or permit to be operated a motor vehicle which is subject to the provisions of G.L. c.90, s. IA, during such time as the motor vehicle policy or bond or deposit as required had not been provided and maintained, in violation of G.L. c.90, s.34J. COUNT-OFFENSE .ATTACHING PLATES TO A MOTOR VEHICLE C90 S23 did, with the intent to conceal the identity of a motor vehicle or trailer, attach or permit to be attached to said motor vehicle or trailer, a number plate assigned to another motor vehicle or trailer, in violation of G.L. c.90, s.23. COUNT-OFFENSE RECEIVING STOLEN PROPERTY, \$250 OR LESS C266 S60 did buy, receive or aid in the concealment of, stolen or embezzled property of, Commonwealth of Mass., knowing said property to have been stolen or embezzled, the value of such property not exceeding two hundred and fifty dollars, in violation of G.L. c.266, s.60. Robert E. Zem COUNT-OFFENSE COUNT-OFFENSE COMPLAINANT SWOBN-TO BEFORE CLERK-MAGISTRATE/ASST GLERK

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第4	it eart cappel ed er en huod isbibul.	behalf of the Commonwealth, on oath, complains that on the date and at the location stated herein the defendant did commit the offense(s) listed below.
DEF. DOB AND SEX	OFFENSE CODE(S)	
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DATE OF OFFENSE 10/20/93	J 311 IIB	To december Aid to Families with D
COMPLAINANT THOMAS J. SHEET	POLICE DEPARTMENT (if applicable) HAN SPFLD	Consider General Relief (GR).
DATE OF COMPLAINT	RETURN DATE AND TIME	
10/25/93	WARRANT entend an	Croceives coverty-related veteral
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a loaded or un being present effect a licen	loaded firearm, as defined in (in or on his or her residence (orunder his or her control in a vehicle, S.L. c.140, s.121, said defendant not then or place of business, and not having in the being duthorized by law so to do, in
COUNT-OFFENSE	juries.	
<u> </u>	MMUNITION W/OUT IDENTIFICATION	
did possess am	munition for a firearm to with	22 ammun without complying with the requirement for in Section 129C of Chapter 140 of the
		harate certify that the defendant named to the cor
	o Judicial Court Ama Still and Grue Si	this ner right to counsel in accordance with Suprem
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I hereby certify that the defendant named in the com			
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that he/she has knowingly elected to proceed withou	i a lawyer; and that he	rsne nas:	
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ARREST	HEARING		SUMMONS	WARRAN	ر ر ا	COURT DIVISION			
The within name	d complainant reque	sts that a	complaint issue aga	inst the wir	hin	Sp	ringfield Distr	ict Court	
named defendant, charging said defendant with the offense(s) listed below DATE OF APPLICATION DATE OF OFFENSE PLACE OF OFFENSE					50 State Street				
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NAME OF COMPLAIN	ANT	5/16	THAN .	NO.		OFFENS	SE	G.L. Ch.	and Se
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